IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

      v.

Brandon William Tvedt

2:22-CR-41
JUDGE GRAHAM

ORDER

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136, 134 Stat. 281)(the CARES Act) and this Court's General Orders 20-07, 20-07A, and 20-18, the undersigned as the District Judge to whom this case is assigned finds in this felony case that the plea pursuant to Fed. R. Crim. P. 11 cannot be further delayed without serious harm to the interests of justice. Specifically, this Court finds that further delay to Defendant's plea would interfere with both his and society's interest in prompt resolution of criminal matters. *See United States v. Westmoreland*, 712 F.3d 1066, 1076 (7th Cir. 2013) ("Both the accused and society as a whole have an interest in prompt resolution of criminal proceedings"). Such delay would also interfere with Defendant's ability to begin satisfying any penalty or sanction associated with the charged crime to which he intends to plead guilty, a delay that "may have a detrimental effect on rehabilitation." *See Barker v. Wingo*, 407 U.S. 514, 519-20 (1972) (observing that "delay

1

between arrest and punishment may have a detrimental effect on rehabilitation").

The Court further finds that if Defendant, after consultation with counsel, consents to the use of videoconferencing or teleconferencing to conduct the plea hearing, the plea hearing may proceed through the use of such technology.

Pursuant to 28 U.S.C. § 636(b)(1)(b) and Fed. R. Crim. P. 59, this case is hereby **REFERRED** to a United States Magistrate Judge for the taking of Defendant's plea pursuant to Rule 11 of the Federal Rules of Criminal Procedure. Before proceeding, the Magistrate Judge shall obtain Defendant's consent to proceeding before a magistrate judge. After the plea proceeding, the Magistrate Judge shall file a report and recommendations regarding the plea.

IT IS SO ORDERED.

Date:05/26/2022   s/James   L.   Graham